



RCE/2800

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995. See the American Inventors Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

Application No. 09/654,315  
Filing Date September 1, 2000  
First Named Inventor Robert S. Chau  
Group Art Unit 2811  
Examiner Name Tran, Thien F.  
Attorney Docket No. 42390P4222D2

### 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other - Copies of cited references (6)

### 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months. Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

### 3. Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-2666
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Processing fee under 37 CFR § 1.17(i) for Limited Suspension of Action
- iv. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 750.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type) Heather M. Molleur Registration No. (Attorney/Agent) 50,432  
Signature Heather Molleur Date 02/12/03

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type) Claire Wallters  
Signature Claire Wallters Date 2/12/2003

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<b>TOTAL AMOUNT OF PAYMENT (\$)</b>	<b>750.00</b>
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**750.00**

Application No.	09/654,315
Filing Date	September 1, 2000
First Named Inventor	Robert S. Chau
Group Art Unit	2811
Examiner Name	Tran, Thien F.
Attorney Docket No.	42390P4222D2

1. [ ] The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

**Deposit Account Number** \_\_\_\_\_  
**Deposit Account Name** \_\_\_\_\_

**[ X ] Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, and charge any deficiencies to Deposit Account Number 02-2666, and credit any over payments to Deposit Account Number 02-2666**

**Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.131(b)**

2. <u>    X    </u>	<b>Payment Enclosed</b>
<u>    X    </u>	<b>Check</b>
<u>          </u>	<b>Money Order</b>
<u>          </u>	<b>Other</b>

3. ☐ Applicant claims small entity.  
See CFR 1.27

**1. FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee	Fee	Fee	Fee		
Code	(\$)	Code	(\$)		
1001	750	2001	375	Utility application filing fee	
1002	330	2002	165	Design application filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional application filing fee	

<b>SUBTOTAL (1)</b>	<b>\$</b>	<b>0</b>
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## 2. CLAIMS

<b>2. CLAIMS</b>			<u>Extra</u>		<u>Fee from below</u>		<u>Fee Paid</u>
<b>Total Claims</b>	<u>                    </u>	<b>- 20 =</b>	<u>                    </u>	<b>X</b>	<u>                    </u>	<b>=</b>	<u>                    </u>
<b>Independent Claims</b>	<u>                    </u>	<b>- 3 =</b>	<u>                    </u>	<b>X</b>	<u>                    </u>	<b>=</b>	<u>                    </u>
<b>Multiple Dependent Claims</b>	<u>                    </u>		<u>                    </u>	<b>X</b>	<u>                    </u>	<b>=</b>	<u>                    </u>

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>		
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>		
1202	18	2202	9	Claims in excess of twenty	
1201	84	2201	42	Independent claims in excess of 3	
1203	280	2203	140	Multiple dependent claim	
1204	84	2204	42	Reissue independent claims over original patent	
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2)** \$ 0

**FEE CALCULATION (continued)**
**3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	For filing a request for ex parte reexamination	
1251	110	2251	55	Extension for response within first month	
1252	410	2252	205	Extension for response within second month	
1253	930	2253	465	Extension for response within third month	
1254	1,450	2254	725	Extension for response within fourth month	
1255	1,970	2255	985	Extension for response within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	For filing a submission after final rejection	
1814	110	2814	55	Statutory Disclaimer	
1810	750	2810	375	For each additional invention to be examined	
1801	750	2801	375	Request for Continued Examination (RCE)	750.00
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal publication	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,300	1454	1,300	Acceptance of unintentionally delayed claim for priority	
Other:					
Other:					

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** \$ 750.00

**SUBMITTED BY:**

Typed or Printed Name: Heather M. Molleur  
 Signature: Heather Molleur Date: 02/12/03  
 Reg. Number 50,432 Customer No. \_\_\_\_\_ (complete if applicable)

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner For Patents, Box RCE, Washington, D.C. 20231 on February 12, 2003.

Claire Wallters  
 Name of Person Mailing Correspondence  
 Signature: Claire Wallters Date: 2/12/2003